

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
September 17, 2015

Recording Device Disabled due to mechanical difficulties

Closed Session: yes

Call to Order: 9:06 a.m.

Opening Ceremony: Beatrice A. Law

Roll Call:

Council Present: Secretary Julia Shananaquet, Treasurer Marcella Reyes,
Councilor Bill A. Denemy, Councilor John Keshick, Councilor Beatrice A. Law,
Councilor Michael Naganashe

Absent at time of Roll Call: Councilor Aaron Otto, Councilor Winnay Wemigwase

Legislative Office Staff Present: Legislative Office Manager Michele LaCount,
Legislative Services Attorney Budnick, General Counsel Bransky, Financial
Analyst Stella Kay

Executive Officials and Staff Present: Chairperson Regina Gasco Bentley,
Interim Tribal Administrator and GIS Director Alan Proctor, Chief Financial
Officer Carrie Carlson, Youth Services Coordinator Bernedece Boda, Education
director Jannan Cotto

Public: Tom Kilpatrick, Renee' Dillard, Dexter McNamara, Alice Yellowbank,
Carol McFall, Kenny Dewey, Jacob Kiogima, Alex Boulton, Wiigwaans Smith,
Amy Hinmon, Joy Kiogima, Alexa Oldman, Alonzo Oldman, Jannan Cornstalk,
Carla Osawamick, Stacey Nongueshkwa

Invited Guests: none

Motion made by Councilor Law and supported by Treasurer Reyes to adopt the
agenda of September 17, 2015 as amended.

Vote: 6-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Otto, Councilor
Wemigwase)

Motion carried.

Motion made by Councilor Denemy and supported by Treasurer Reyes to
approve the corrected minutes of the Regular Meeting held on September 3,
2015.

1 Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Otto, Councilor
2 Wemigwase)
3 Motion carried.
4

5 **Executive Updates**

6 Discussion Items: Security System Training, Salt Shed, Emergency Response
7 Plan, Attending meeting with Governor Syder, Youth Department updates,
8 Employee office space needed.
9

10 Motion made by Councilor Law and supported by Secretary Shananaquet to
11 acknowledge receipt of the 2015 September Executive Oversight Report and the
12 verbal report as presented by Chairperson Regina Gasco Bentley on September
13 17, 2015.

14 Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Otto, Councilor
15 Wemigwase)
16 Motion carried.
17

18 **Legislative Leader Report** - Position is currently vacant.
19

20 **Secretary Report:**

21 The following Tribal Council adopted/approved documents were delivered/signed
22 by the Executive:
23

- 24 • Amendment to 2015-009; Gaming Enterprise Board, delivered to the
25 Executive on 09-09-15, status pending.
26
- 27 • Waganakising Odawak Statute 2015-016; Tribal Government Budget
28 Formulation and Modification Statute submitted to the Executive on 09-09-
29 15 and signed on 09-09-15.
30

31 **Vetoed:** None
32

33 **Phone Polls:** The following phone poll(s) were conducted on the following
34 date(s) for the following reason:
35

- 36 • 09-04-15 Motion to approve Treasurer Marcella Reyes travel to attend the
37 Food Sovereignty Summit from October 26-29, 2015 in Green Bay,
38 Wisconsin.
39 Vote: 8-Yes, 0-No, 0-Abstained, 0-absent
40
- 41 • 09-10-15 Motion to pass Certified Motion #091015-01, Funding from the
42 United States Department of Agriculture (USDA), Food and Nutrition
43 Services FY 2016 Food Distribution Program on Indian Reservations
44 (FDPIR).
45 Vote: 7-Yes, 0-No, 0-Abstained, 1-absent
46

1 Discussion Items: Repeal Of Waganakising Odawak Statute 2010-007 Legal
2 And Legislative Committee. Based on dissolution of AdHoc Agricultural Work
3 Group – would like to consider rescinding travel to Food Sovereignty.

4
5 Motion made by Councilor Law and supported by Councilor Keshick to accept
6 Secretary Shananaque's verbal report as presented on September 17, 2015.

7 Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Otto, Councilor
8 Wemigwase)

9 Motion carried.

10
11 **Treasurer Report:**

12 Motion made by Councilor Keshick and supported by Councilor Naganashe
13 to accept Treasurer Reyes' verbal report as presented on September 17, 2015.

14 Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Otto, Councilor
15 Wemigwase)

16 Motion carried.

17
18 **Tribal Council Travel Reports:**

19 No reports.

20
21 **Tribal Council Reports:**

22 No reports.

23
24 **Tribal Council Committee Reports:**

25
26 **Agriculture Assessment Work Group**

27 Motion made by Councilor Denemy and supported by Councilor Naganashe to
28 accept the verbal report of the Agriculture Ad-hoc Work Group as presented by
29 Councilor Keshick, Committee Chairman.

30 Vote: 5-Yes, 0-No, 0-Abstained, 3–Absent (Councilor Law, Councilor Otto,
31 Councilor Wemigwase)

32 Motion carried.

33
34 **Land and Reservation Committee**

35 Motion made by Treasurer Reyes and supported by Councilor Denemy to accept
36 the verbal report of the Land and Reservation Committee as presented by
37 Councilor Keshick, Committee Chairman.

38 Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Otto, Councilor
39 Wemigwase)

40 Motion carried.

41
42 **Legal Legislative Committee – No report.**

43
44 **Ethics Committee – No report.**

45
46 **10:24 a.m. Break**

47 **10:38 a.m. Resume**

1
2 **Legislative Office Reports:**

3
4 **Sr. Financial Analyst Report**

5 Motion made by Councilor Law and supported by Treasurer Reyes to accept Sr.
6 Financial Analyst Stella Kay's verbal and written report as presented on
7 September 17, 2015.

8 Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Otto, Councilor
9 Wemigwase)

10 Motion carried.

11
12 **Legislative Services Attorney Report (Tentative Closed Session)**

13
14 **10:58 a.m.** Motion made by Councilor Keshick and supported by Councilor Law
15 to go into closed session for Legal Business Matters.

16 Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Otto, Councilor
17 Wemigwase)

18 Motion carried..

19
20 **11:17 a.m.** Councilor Wemigwase arrives.

21
22 **11:25 a.m.** Motion made by Councilor Law and supported by Councilor
23 Wemigwase to return to open session.

24 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Otto)

25 Motion carried.

26
27 Motion made by Councilor Law and supported by Councilor Wemigwase to
28 accept Legislative Services Attorney Budnick's verbal and written report as
29 presented on September 17, 2015.

30 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Otto)

31 Motion carried.

32
33 **Enjinaaknegeng**

34 Motion made by Treasurer Reyes and supported by CNto accept General
35 Counsel Bransky's verbal report as presented on September 17, 2015.

36 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Otto)

37 Motion carried.

38
39 **11:38 Public Comment Opens**

- 40
- Citizen Tom Kilpatrick presented credit card processing for Tribe.
 - 41 • Citizen Andrew Stich inquired into the lack of travel reports for Tribal
 - 42 Council. Would like to use the supplemental \$99.00 per capita for Youth
 - 43 Program.
 - 44 • Citizen Janaan Cornstalk would like to see more funds put into the Youth
 - 45 Programs.
 - 46 • Citizen Carol McFall supports Janaan's comments on need to support
 - 47 Youth program.

- Citizen Alice Yellowbank supports spending money on Youth program and would like to see the Youth program be a stand alone program.
- Youth Representatives spoke in support of Youth Program and need to continue funding: Joy Kiogima, Alex Boulton, Alexa Oldman, Alonzo Oldman, Jacob Kiogima, Amy Hinmon, Miigwans Smith, Stacey Nongueshkwa, Kenny Dewey.
- Citizen Renee Dillard wants tribe to invest in Youth.
- Citizen Bernadece Boda spoke about process and protocol.
- Citizen Netawn Smith.

12:44 p.m. Public Comment Closes

12:44 p.m. Lunch Break

1:44 p.m. Meeting Resumes

1:45 p.m. Councilor Wemigwase arrives

1:51 p.m. Treasurer Reyes arrives

Legislative Office Manager

Motion made by Councilor Law and supported by Councilor Wemigwase to accept Legislative Office Manager LaCount's verbal and written report as presented on September 17, 2015.

Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Otto)

Motion carried.

LTBB Charter and/or Enterprise Committee/Board Reports

Gaming Enterprise Board

Discussion: Odawa Casino Resort - Chief Financial Officer, Roger Borton discussed the Wells Fargo Banking Documents for the Odawa Casino Resort.

Action Items – Motions

Motion made by Councilor Wemigwase and supported by Councilor Naganashe to approve Certified Motion #091715-01; Request for Funding from N7 Fund LTBB Youth Services Program Culturally-Integrated Physical Activities.

Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Otto)

Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to approve Certified Motion #091715-02; Request for Funding from the U.S. Department of Health and Human Services Indian Health Service FY 2016 – FY 2020 Special Diabetes Program for Indians.

Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Otto)

Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to approve Certified Motion #091715-03; Request for Funding from Freshwater Future; Insight Services: Growing Success.

1 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Otto)

2 Motion carried.

3
4 Motion made by Treasurer Reyes and supported by Councilor Denemy to
5 approve Certified Motion 091715-04; To Retain Litigation Expert Witness.

6 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Otto)

7 Motion carried.

8
9 Motion made by Councilor Law and supported by Treasurer Reyes to approve
10 Certified Motion 091715-05; Designate Land Use of Indian Town, 608 Second
11 Street, Harbor Springs, Michigan, 49740.

12 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Otto)

13 Motion carried.

14
15 Motion made by Treasurer Reyes and supported by Councilor Law to not pursue
16 Land Parcel #94 as recommended by the Land and Reservation Committee.

17 Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Otto, Councilor
18 Wemigwase)

19 Motion carried.

20
21 Motion made by Councilor Keshick and supported by Councilor Law to approve
22 the Salt Shed Site Plan dated Sept. 15, 2015 as submitted by the Executive
23 Department.

24 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Otto)

25 Motion carried.

26
27 Motion made by Councilor Law and supported by Councilor Wemigwase to
28 acknowledge receipt and set up an interview for the position of Gaming
29 Enterprise Board member for the following individuals: Mary Kilmer, Marvin
30 Mulholland, and Thomas Newberry.

31 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Otto)

32 Motion carried.

33
34 Motion made by Councilor Keshick and supported by Councilor Wemigwase to
35 authorize the signing of the Wells Fargo Banking Documents for the Odawa
36 Casino Resort in regards to the Certificate of Indian Tribal Entity and Limited
37 Waiver of Sovereign Immunity.

38 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Otto)

39 Motion carried.

40
41 Motion made by Councilor Keshick and supported by Councilor Law to
42 acknowledge the receipt of Michelle Chingwa Education Assistance Scholarship
43 Regulations REG-Waganakising Odawak Statute 2014-010-091515-002 from the
44 Executive Department on September 15, 2015.

45 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Otto)

46 Motion carried.

1 Motion made by Councilor Wemigwase and supported by Treasurer Reyes
2 to approve Councilor Law attend Inter Tribal Work-group Meeting, Squaxin
3 Island, WA – November 2-4, 2015.

4 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Otto)

5 Motion carried.

6 **Note: Travel paid by Inter-Tribal Work Group*

8 Motion made by Councilor Wemigwase and supported by Councilor Denemy to
9 post to the Legislative Calendar Waganakising Odawak Statute Repeal of
10 Waganakising Odawak Statute 2010-007 Legal and Legislative Committee as
11 sponsored by Secretary Shananaquet.

12 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Otto)

13 Motion carried.

15 Motion made by Secretary Shananaquet to rescind the Motion to approve
16 Treasurer Marcella Reyes travel to attend the Food Sovereignty Summit from
17 October 26-29, 2015 in Green Bay, Wisconsin, as conducted via phone poll on
18 September 4, 2015.

19 Motion fails due to no support.

20 **Note: Travel will be paid by Oneida Tribe*

22 Motion made by Councilor Keshick and supported by Councilor Law to approve
23 travel for Councilor Keshick, Councilor Wemigwase and Councilor Law and to
24 travel to Washington, D.C. for meeting with Department of Justice and
25 Department of Interior on October 1, 2015 .

26 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Otto)

27 Motion carried.

29 **Action Items: Roll Call Votes**

30 Motion made by Councilor Law and supported by Treasurer Reyes to adopt
31 Tribal Resolution: Michigan Indian Elders Association Delegate Appointment of
32 Richard Wemigwase, John Kawogema and alternate Emily Harrington.

33 Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes,
34 Councilor Naganashe-yes, Councilor Otto-absent, Councilor Wemigwase-
35 abstain, Treasurer Reyes-yes, Secretary Shananaquet-yes

36 Motion carried.

38 **2:59 p.m. Councilor Keshick leaves.**

40 **3:00 p.m. Break**

41 **3:08 p.m. Resume**

43 **3:08 p.m. Public Comments Opens**

44 **3:09 p.m. Public Comment Closes**

46 **3:10 p.m. Councilor Keshick returns**

1 Motion made by Councilor Keshick and supported by Councilor Wemigwase to
2 amend the agenda to add travel request for Treasurer Reyes to attend October
3 1, 2015 Washington, D.C. meeting with Department of Justice and Department of
4 Interior.

5 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Otto)

6 Motion carried.

8 Motion made by Councilor Keshick and supported by Councilor Wemigwase to
9 approve Treasurer Reyes to attend October 1, 2015 Washington, D.C. meeting
10 with Department of Justice and Department of Interior.

11 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Otto)

12 Motion carried.

14 Other Items of Business

16 Adjournment

17 **3:18 p.m.** Motion made by Councilor Denemy and supported by Councilor Law to
18 adjourn meeting.

19 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Otto)

20 Motion carried.

22 Next Scheduled Meeting 23 October 8, 2015

25 Please contact the Legislative Office at 231-242-1403 or 231-242-1404 for
26 additional updates and clarifications of these minutes as presented.

28 These Minutes have been read and approved as written (or) corrected: (delete
29 either the word “written” or “corrected” as pertains to how the minutes were
30 approved.)

34 _____
35 Julia A. Shananaquet, Tribal Council Secretary

Date